

REMARKS

This paper is in response to the Office Action dated April 28, 2010. Applicant has amended the application as set forth above. Specifically, Claims 17, 19, 21-23, 26 and 29 have been amended. New Claim 30 has been added. Upon the entry of the amendments, Claims 17-30 are pending in this application. No new matter is added by the amendments. Applicant respectfully requests the entry of the amendments and reconsideration of the application in view of the above amendments and the following remarks.

Discussion of Claim Amendment

Support for amendment to Claim 17 and support for new Claim 30 can be found in, for example, Figures 2 and 4 and associated description of the specification. Claims 19 and 22 have been amended to correct typographical errors. Claims 21, 23 and 26 have been made to make them consistent with Claim 17 in view of the amendments to the claim.

Discussion of Rejection Under 35 U.S.C. § 103

The Examiner rejected Claims 17-29 under 35 U.S.C. § 103(a) as being unpatentable over Anderson et al. (U.S. 2006/0241423 A1) in view of Shmulewitz (U.S. Patent 5,664,573). Applicant respectfully disagrees and submits that Claims 17-29 are patentable over the references as discussed below.

Among other things, Claim 17 recites features that “the breast support surface is configured to move along an endless loop during scanning such that a portion of the breast support surface turns upside down along the endless loop at while the same time the substantially entire portion of the breast is supported by one or more other portions of the breast support surface.”

As the Examiner noted in the Office Action at page 4, lines 20 and 21, Anderson does not disclose an endless loop structure. Therefore, it is certain that Anderson does not disclose further specific features of the endless loop structure, including a breast support surface which is configured to move along an endless loop during scanning such that a portion of the breast support surface turns upside down along the endless loop while at the same time the substantially entire portion of the breast is supported by one or more other portions of the breast support

surface.

The Examiner relies on Shmulewitz to remedy the deficiency that Anderson does not disclose an endless loop structure. **Shmulewitz** discloses a sonomammography apparatus 10. For the Examiner's convenience, Figures 1 and 2 of Shmulewitz are reproduced below.

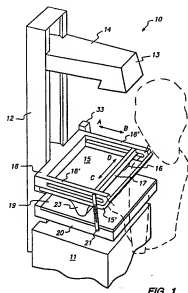


FIG. 1

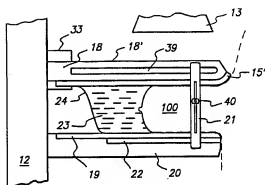


FIG. 2

As shown above, the apparatus 10 has a lower supporter 20 and an upper compression plate 15. For testing, a breast 10 is located and compressed between the lower support 20 and the upper support plate 15. The apparatus 10 has a gantry support 18 disposed above the compression plate 15. The gantry support 18 has two arms 18' and a gantry 17 connecting the arms 18'. An ultrasound transducer 16 is fixed underneath the gantry 17. The ultrasound transducer 16 travels along the direction of A-B and C-D as indicated in Figure 1. To discuss about moving mechanism, Figure 7 of Shmulewitz is reproduced.

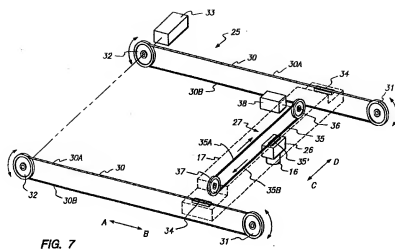


FIG. 7

Drive means 25 is installed in each arm 18' for moving the gantry 17 and the ultra sound transducer 16 in the direction of A-B. Each drive means 25 has a cable 30 driven by a motor 33. The cable is fixed to the gantry 17 to move the gantry 17 in the A-B direction. Drive means 27 is installed in the gantry 17 for moving the transducer 16 in the direction of C-D. The drive means 27 has a cable 35 driven by a motor 38. The cable 35 is fixed to the ultrasound transducer 16 to move the transducer 16 in the C-D direction.

In the Shmulewitz's apparatus, the cables 30 and 35 appear to form an endless loop. However, Shmulewitz does not disclose anything about whether such endless loop cable 30 or 35 supports or compresses a breast to be scanned. Rather, in the Shmulewitz's apparatus, the upper compression plate 15 applies compression force to the breast to be scanned. As such, Shmulewitz does not disclose the recitations of Claim 1 that "the breast support surface is configured to move along an endless loop during scanning such that a portion of the breast support surface turns upside down along the endless loop while at the same time the substantially entire portion of the breast is supported by one or more other portions of the breast support surface."

As discussed, the combination of Anderson and Shmulewitz does not disclose every element of Claim 1, and thus, the cited references do not establish a *prima facie* case of obviousness for Claim 17. Accordingly, Claim 17 and its dependent claims, Claims 18 to 29 are patentable over the cited references.

New Claim

New Claim 30 depends from Claim 17. Claim 30 is patentable not only because Claim 17

is patentable over the cited references but also is patentable in its own merits. Thus, Claim 30 is in condition for allowance.

Dependent Claims

Although Applicant has not addressed all the issues of the dependent claims, Applicant respectfully submits that Applicant does not necessarily agree with the characterization and assessments of the dependent claims made by the Examiner, and Applicant believes that each claim is patentable on its own merits. Applicant respectfully submits that pursuant to 35 U.S.C. § 112, ¶4, the dependent claims incorporate by reference all the limitations of the claim to which they refer and include their own patentable features, and are therefore in condition for allowance. Therefore, Applicant respectfully requests withdrawal of all claim rejections and prompts allowance of the claims.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

CONCLUSION

Applicant has endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. Accordingly, arguments in support of the patentability of the pending claim set are presented above.

In light of the above remarks, reconsideration and withdrawal of the outstanding rejections is respectfully requested. If the Examiner has any questions which may be answered by telephone, he is invited to call the undersigned directly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: July 27, 2010

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